

Board of Cosmetologist Examiners

May 11, 2015 Board Meeting Minutes

10:12 AM to 1:08 PM

Conference Room A, University Park Plaza

2829 University Ave SE, Minneapolis, MN 55414

Present at Meeting:

Mary Finnegan, Chair	Michele Owen, Attorney
Laurie Boggess, Member	Gina Stauss Fast, Executive Director
Robert Salmonson, Member	Diane DelaBarre, Assistant Executive Director
Kurt Deile, Member	Catrina Mairose, Licensing Division Manager
Nicki Dixon, Member	Lene Kiser, Compliance Specialist
Chelsey Bell (electronically), Member	Tami Thein, Assistant to the Executive Director
	Rebecca Gaspard, Rules Analyst

I. ***Call to Order***

MF: Called meeting to order at 10:12 AM.

II. ***Approval of Proposed Agenda***

LB: Made a motion to pass the proposed agenda with flexibility.

KD: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

III. ***Approval of Minutes***

LB: Made a motion to approve the minutes from the February 9, 2015 Board meeting.

BS: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

IV. ***New Business: Waivers, Public Comments, Petition for Rulemaking & Rulemaking Update***

A. ***Waivers – Almaz Mesfin***

CM: AM is requesting a waiver of MN Rule 2105.0150 which requires applicants to apply for and become licensed within three years of completion of the 1550/600/350 hour course of training. This request is based on the medical hardship of her mother, which arose from the death of AM's father.

KD: Made motion to grant the request for waiver on the condition she completes the 4 CE, pass exams, take a 40 hour refresher and submits her application within one year.

LB: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

B. ***Waiver – Shameka Jefferson***

CM: SJ is requesting a waiver of MN Rule 2105.0150, which requires applicants to apply for and become licensed within three years of completion of the 1550/600/350 hour course of training. SJ was granted a waiver of this rule at the February 2014 Board meeting but did not meet the one year deadline of 2/24/2015. SJ is now requesting an extension of her original waiver due to the hardship she faced in completing all requirements.

LB: Made motion to grant the request for waiver due to financial hardship for six months from today's date.

BS: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

C. Waiver—Michele Chaplin

CM: MC is requesting a waiver of MN Rule 2110.0140 which requires applicants for an initial instructor license to have at least 1,400 hours of licensed practice within the most recent three years prior to application. This request is based on medical hardship.

KD: Made motion to grant the request for waiver due to medical hardship.

LB: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

D. Waiver—Denise Schramm

CM: DS is requesting a waiver of MN 2105.0160, which requires applicants for a salon manager license to have 2,700 hours of licensed practice within the three years prior to application. DS is requesting that her past six years of unlicensed work experience be considered to allow her to obtain her salon manager license. Her request is based on financial hardship.

KD: Made motion to deny the request for waiver due to the fact that she has not documented her medical or financial hardship.

ND: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

MF calls for break at 10:56AM.

MF calls for order at 10:58AM.

E. Waiver – Heidi Barber

CM: HB is requesting an appeal of a previous waiver denial and an extension of an expired waiver. Both waiver requests are of MN Rule 2105.0200, Subpart 1, which states that if more than three years have elapsed since the license expiration date, the licensee must apply for a new license. HB is requesting waivers of this rule for her instructor license and her salon manager license.

GSF and MF: Discussion of recommendations from the Licensing Committee regarding HB request for extension of waiver received at the October 2014 Board Meeting.

KD: Made motion to deny the request for appeal for Manager License.

BS: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

KD: Made motion to adopt Licensing Committee's recommendation to deny the extension of waiver.

ND: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

MF calls for break at 11:22AM.

MF calls for order at 11:34AM.

F. Public Comment – Regency Beauty Institute

Andrea Fike provides an overview of new Gainful Employment regulations.

BS: Made motion to add Southeast Technical Cosmetology School to the agenda.

LB: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

G. Waiver— Southeast Technical Cosmetology School

CM: STCS is requesting a waiver to allow STCS to operate with one instructor rather than two, for their summer term. This waiver or variance would be of MN Rule 2110.0630 (A).

BS: Made motion to grant the request for waiver to operate in the summer with one instructor for 44 days due to financial hardship.

KD: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

H. Waiver—Katerie Broz

CM: KB is requesting a waiver of MN Rule 2105.0200, Subp. 2, A (1) which requires applicants to have practiced in a licensed salon for at least 1,800 hours at any time within the three years of their license cycle or 400 hours per each year, or to take a 40-hour refresher course. This request is based on medical hardship of her husband.

LB: Made motion to grant the request for waiver due to medical hardship.

BS: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

MF calls for break at 12:16PM.

MF calls for order at 12:29PM.

I. Petition for Rulemaking

GSF: Denise Jarrett, Director of EcoHair Institute & Association, has submitted a petition for rulemaking to the Board. Under MN Statute 14.09, the public can make requests, or petitions, to modify existing rules or implement new rules using the rulemaking process. Hair braiding changes and School Manager renewal changes.

BS: Made motion to approve the draft letter for the response.

CB: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

J. Rulemaking Update

RG: The Rules Committee met for 3 long meetings in March and April. Final rules drafts for 2105 and 2110 should be ready for Board review at the July meeting.

V. Division Reports- Compliance Division Report, Licensing Division Report and Inspection Division Report

A. Compliance Division Report

DD: In the 3rd quarter, a total of 21 new complaints were filed with the Board. Currently have 162 active complaints.

B. Inspection Division Report

DD: 395 total inspections completed from 2/11/15 – 4/30/15.

C. Licensing Division Report

CM: Since the February board meeting, we have maintained an average processing time of about 12 business days. During this time, approximately 288 licenses were issued each week, which equals about 58 per business day.

VI. Adjournment

MF: Adjourned the meeting at 1:08 PM.